

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the remarks herewith.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-13 are pending.

### **II. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 1-11 and 13 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent Application No. 2001/0031131 to Fukai et al. (hereinafter, merely "*Fukai*") in view of U.S. Patent No. 7,110,025 to Loui et al. (hereinafter, merely "*Loui*"), and further in view of U.S. Patent No. 6,690,883 to Pelletier (hereinafter, merely "*Pelletier*").

Also, dependant claim 12 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Fukai* in view of *Loui* and further in view of U.K. Patent Application GB 2361130 to David et al. (hereinafter, merely "*David*").

### **III. RESPONSE TO REJECTIONS**

Applicants respectfully traverse these rejections for at least the following reasons:

Claim 1 recites, *inter alia*:

"A video content editing support system comprising:

a recorder to describe electronic mark data related to video content data in the video content data;

... wherein the electronic mark data includes attribute mark data and the electronic mark text data linked to each other, the attribute mark data identifying video scenes included in the video content data, and **when, at an imaging device, the attribute mark data including a scene ID for identifying video scenes and a mode associated with the electronic mark text data relating to an imaging location of the video content data are selected, the attribute mark data and the electronic mark text data are generated on the basis of position information from a Global Positioning System associated with the imaging device.**” (Emphasis added)

As conceded on page 3 of the Office Action, neither *Fukai* nor *Loui*, taken alone or in combination, disclose or render predictable “attribute mark data and the electronic mark text data linked to each other,” whereby “when, at an imaging device, the attribute mark data including a scene ID for identifying video scenes and a mode associated with the electronic mark text data relating to an imaging location of the video content data are selected, the attribute mark data and the electronic mark text data are generated on the basis of position information from a Global Positioning System associated with the imaging device [.]” as recited in claim 1. However, the Examiner alleges that *Pelletier* overcomes the above-noted deficiencies of both *Fukai* and *Loui*. Applicants respectfully disagree with this assertion for at least the following reason.

According to *column 5, line 31 through column 6, line 12 of Pelletier*, information such as the date and time (250), the GPS location (255), event information (260) from the PDA, and other information (265) is obtained in the step (210) of gathering context data via one or more of the communication connections described above. The date and time (250) is obtained from the clock (140) which may be internal to the camera (110). The camera (110) obtains the location and event information from the GPS (180) and PDA (170), respectively. The camera

(110) obtains the other information 265 from the other or miscellaneous information sources (195). Once all of the information is collected in steps (205) and (210), it is assimilated as photo data in step (215). Thus, the photo data includes identities of the following information relating to the photograph: the subject(s) (270), the activity taking place (275), any landmarks (280), lighting conditions (285), the date and time (290), the location (295), event information (300) and any other information (305) which may be relevant to the identity of the photograph. A meaningful annotation is produced in step (225). The name may be utilized by a viewer and/or photographer to identify a filename and/or to annotate a photograph or an electronic file associated with the photograph.

FIG. 3 of Pelletier shows a field of view (300) imaged by the camera (310) includes George eating lunch in the sun near the Eiffel Tower in Paris, France, on Oct. 15, 2001. In order to obtain that information, camera (310) must access multiple information sources. For example, internal components of camera (310) may include a clock and an image analyzer, as described above. The clock informs camera (310) that the date is Oct. 15, 2001. The image analyzer analyzes the image (300) and determines that the landmark is the Eiffel Tower, that the weather is sunny, that the person is George and that George is eating. An entry within PDA (370) indicates that George would be taking a trip to France on Oct. 15, 2001. Additionally, GPS (380) confirms the fact that George is in Paris, France. FIG. 4 is an example of information that may be used to annotate a photograph or an electronic file, in accordance with the FIG. 3 embodiment of the present invention.

Although *Pelletier's* GPS information may be used to annotate a photograph (as *seen* in FIG. 4), this GPS information does ***not*** contemplate generating both:

- “attribute mark data” and
- “electronic mark text data ... on the basis of position information from a Global Positioning System associated with the imaging device.”

By way of example and not limitation, paragraph [0180] of Applicants’ published application describes:

[0180] When attribute mark data as scene ID for identification of a video scene and a mode in which electronic mark text data related with a video content such as date of imaging, location of imaging, etc. are to be described (recorded) are selected by operating the set switch 40, the data signal generator 41 will generate attribute mark data DZ and electronic mark text data DM on the basis of a position information signal from a GPS unit (not shown) included in the data signal generator 41 or the like.

Thus, in contrast, the GPS information obtained and utilized in *Pelletier* merely confirms and annotates the location of the subject within the photograph as opposed to generating **both** “attribute mark data” and “electronic mark text data.”

Therefore, Applicants respectfully submit that claim 1 is patentable. For reasons similar to those described above with regard to independent claim 1, independent claims 9-11 are also patentable.

#### IV. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

**CONCLUSION**

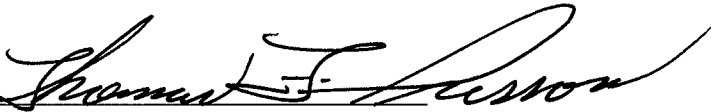
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference or references, providing the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

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